

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,  
THE STATE OF WEST VIRGINIA by  
and through the WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Plaintiffs,

v.

// CIVIL ACTION NO. 1:14CV218  
(Judge Keeley)

XTO ENERGY, INC.,

Defendant.

ORDER GRANTING PLAINTIFFS' UNOPPOSED  
MOTION FOR ENTRY OF CONSENT DECREE [DKT. NO. 10]

On March 9, 2015, the plaintiffs filed an "Unopposed Motion for Entry of Consent Decree." In support of this motion, the plaintiffs indicate that the parties have negotiated a consent decree as a resolution of the plaintiffs' claims, and that the terms of the consent decree are "fair, adequate, reasonable, and in the public interest." (Dkt. No. 10 at 5). After careful consideration, the Court **GRANTS** the motion. Pursuant to paragraph 69, the Court's entry of the consent decree "shall have the force and effect of a final judgment." (Dkt. No. 3-1 at 40). Nonetheless, pursuant to paragraph 68, "[t]his Court shall retain jurisdiction over this action in order to enforce or modify the Consent Decree consistent with applicable law or to resolve all

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U.S. DISTRICT COURT-WVND  
CLARKSBURG, WV 26301

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disputes arising hereunder." Id. at 39-40. The Court therefore **ORDERS** that this case be removed from its active docket and lodged on the Court's inactive docket.

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order to counsel of record.

DATED: April 23, 2015.

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE